IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

7. NO. 3:12-CV-0185	
PHILLIPS/GUYTON	

ORDER OF REMAND UNDER SENTENCE FOUR OF 42 U.S.C. § 405(g)

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the parties' motion to remand this action, this Court now, upon substantive review, hereby enters a judgment under sentence four of 42 U.S.C. § 405(g) reversing the Commissioner's decision with a remand of the cause to the Commissioner according to the following terms. See Shalala v. Schaefer, 509 U.S. 292, 296, 113 S. Ct. 2625, 2629 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 97-98, 111 S. Ct. 2157, 2163 (1991).

The Court is in agreement with the parties that the instant case should be remanded, pursuant to sentence four of 42 U.S.C. § 405(g), and jurisdiction of this case should be returned to the Commissioner. Upon remand, the administrative law judge (ALJ) will further evaluate the

medical opinion evidence within the record. Additionally, the ALJ will offer Plaintiff the opportunity for a new hearing and issue a new decision.

The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure. Thomas H. Phillips

U. S. District Judge

Proposed by:

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